



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C., 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

OCT 17 2017

Alexander Mesmer
Beveridge & Diamond PC
1350 I Street, NW
Suite 700
Washington DC, 20005

Re: Freedom of Information Act Requests (EPA-HQ-2017-011568 and EPA-HQ-2017-011569)

Dear Mr. Mesmer:

This transmittal is in response to your FOIA Requests EPA-HQ-2017-011568 and EPA-HQ-2017-011569), submitted September 18, 2017. You requested a copy of certain semi-annual compliance reports.

I performed a comprehensive search for this information. Enclosed, please find all information that EPA has in its possession, control, and custody which is responsive to EPA-HQ-2017-011568. No information responsive to that request has been withheld.

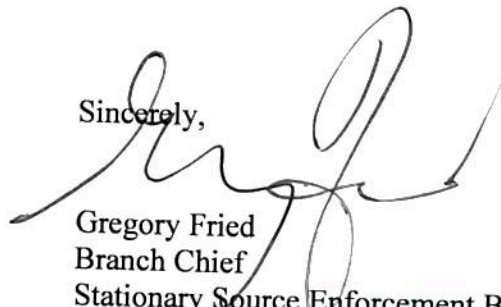
I have determined that the records (or a portion of the records) responsive to request EPA-HQ-2017-011569 have been claimed confidential and may contain trade secrets or commercial or financial information which is exempt from disclosure under 5 U.S.C. § 552(b)(4). Pursuant to 40 C.F.R. § 2.204(d)(1), your request is being initially denied because further inquiry by EPA is required before a final determination can be made. We will consult with the third party(ies) in connection with their business confidentiality claim(s) covering these records and the EPA Office of General Counsel will issue a final confidentiality determination.

This letter concludes our response to your request. As noted above, the information withheld under Exemption 4 will be sent to the appropriate legal office which will issue a final confidentiality determination. Therefore, you do not need to appeal the withholding of information under Exemption 4. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released. To the extent you would like to appeal any other issue, including any non-Exemption 4 withholdings, you may appeal this response by email at hq.foia@epa.gov or by mail to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20001. Your appeal must be made in writing, and it must be submitted no later than 90 calendar days from the date of this letter. The Agency will not consider appeals received after the 90 calendar day limit. The appeal letter should clearly

identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope, if applicable, should be marked **"Freedom of Information Act Appeal."** Additionally, you may seek dispute resolution services from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202)566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; e-mail, ogis@nara.gov; telephone, 202-741-5770 or 1-877-684-6448; and facsimile, 202-741-5769.

If you have any questions regarding this response, please contact Kellie Ortega at (202) 564-5529.

Sincerely,



Gregory Fried
Branch Chief
Stationary Source Enforcement Branch
Air Enforcement Division